

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

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PATRICIA WILLIAMS

Plaintiff,

v.

FREDRICK HOOD and  
CLINE TOURS, INC.,

Defendants.

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Case No.

Jury Demanded

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**NOTICE OF REMOVAL**

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TO THE HONORABLE JUDGES IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE:

COME NOW the Defendant, Fredrick Hood (“Hood”), by and through counsel, and  
respectfully aver as follows:

1. On August 26, 2022 Plaintiff Patricia Williams (“Plaintiff”) commenced a civil  
action against Defendants in the Circuit Court for Shelby County, Tennessee. Copies of Plaintiffs’  
Complaint and Summonses are attached hereto collectively as **Exhibit A**.

2. The Complaint, being the original process in this case, was first received by  
Defendant Cline Tours no earlier than September 13, 2021; and by Defendant Fredrick Hood no  
earlier than October 5, 2022.

3. This personal-injury lawsuit arises out of an automobile accident alleged to have  
occurred near the intersection of Beale Street and Front Street, which is located within the  
boundaries of Shelby County, Tennessee. See Ex. A, Compl. at Section II.

4. Plaintiff seek damages in the amount of three hundred and fifty thousand dollars  
(\$350,000.00). See Ex. A, Compl. at Section IX.

5. At all times material hereto, Plaintiff was and is a resident of the State of Tennessee.

See Ex. A, Compl. at Section I.

6. At all times material hereto, Defendant, Fredrick Hood, was and is a citizen and resident of the State of Mississippi. See Ex. A, Compl. at Section I.

7. At all times material hereto, Defendant Cline Tours, Inc. was and is a for-profit corporation formed and incorporated under the laws of the State of Mississippi with its principal place of business in Mississippi.

9. Diversity of citizenship within the meaning of 28 U.S.C. § 1332 exists in this case since:

- (a) Plaintiff was and is citizen and resident of the State of Tennessee;
- (b) Defendant Fredrick Hood was and is a resident of the State of Mississippi.
- (c) Defendant Cline Tours, was and is a for profit corporation formed and incorporated under the laws of the State of Mississippi with its principal place of business in Mississippi.

10. Furthermore, diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of filing of this notice, such that Defendants are entitled to removal pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446.

11. Additionally, jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332 since, based on the nature of the injuries alleged by Plaintiff in the Complaint along with Plaintiff's prayer for relief in the amount of \$350,000.00, the amount in controversy clearly exceeds the jurisdictional threshold of \$75,000.00.

12. It has been less than thirty (30) days since Defendant Fredrick Hood was served with the Summons and Complaint.

13. Defendants Cline Tours and Fredrick Hood desire and consent to the removal the above-captioned action, now pending in the Circuit Court of Shelby County, Tennessee, to this Honorable Court pursuant to 28 U.S.C. § 1446.

WHEREFORE, Defendant Fredrick Hood prays that the above-captioned action, now pending in the Circuit Court Shelby County, Tennessee, be removed to this Honorable Court.

Respectfully submitted,

s/ Samuel M. Fargotstein

Lee L. Piovarcy (Tenn. Bar No. 8202)  
Samuel M. Fargotstein (Tenn. Bar No. 31115)  
MARTIN, TATE, MORROW & MARSTON, P.C.  
6410 Poplar Ave., Tower II, Suite 1000  
Memphis, TN 38119-4839  
(901) 522-9000  
(901) 527-3746 (Fax)  
[lpiovarcy@martintate.com](mailto:lpiovarcy@martintate.com)  
[sfargotstein@martintate.com](mailto:sfargotstein@martintate.com)

*Attorneys for Defendants Cline Tours, Inc. and  
Fredrick Hood*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon the below-listed counsel this 20th day of October, 2022, by first-class mail, postage prepaid via electronic mail, and via the Court's Electronic Case Filing system:

Allen Gressett, Esq., (Tenn. Bar No. 29187)  
Schwed, Adams & McGinley, P.A.  
88 Union Center  
11<sup>th</sup> Floor, Suite 1100  
Memphis, TN 38103  
*Attorney for Plaintiff Patricia Williams*

s/ Samuel M. Fargotstein